

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2421-01
BILL NO.: HB 1168
SUBJECT: Prohibits the Selling of a Child
TYPE: Original
DATE: December 16, 1999

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds *	(Unknown)	(Unknown)	(Unknown)

* Unknown costs not expected to exceed \$100,000 annually.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses
This fiscal note contains 3 pages.

FISCAL ANALYSIS

GCB:LR:OD:005 (9-94)

ASSUMPTION

Officials from the **Office of State Courts Administrator** and **Office of Prosecution Services** assume this proposal would result in no fiscal impact to their agencies.

Officials from the **State Public Defender (SPD)** did not respond to our request for fiscal impact. However, for a very similar proposal from the prior session, the SPD assumed that existing staff could provide representation for those 15-20 cases arising where the indigent persons were accused of "buying or selling children." However, the SPD stated that passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused.

Officials from the **Department of Corrections (DOC)** did not respond to our request for fiscal impact. However, for a similar proposal from the prior session the DOC stated new commitments which could result from the creation of the offense(s) outlined in this proposal could not be accurately determined. In addition, changes in penalty provisions for current crimes could result in additional costs due to new commitments and/or longer sentences. The utilization of these laws for both new offenses and enhanced penalties for current offenses depend upon actions of prosecutors and courts.

In addition, the DOC had stated that if additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (average \$35.00 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average \$3.50 per offender, per day). Due to the wide variance of crimes and punishments including newly created crimes and punishments, the fiscal impact as it relates to DOC was unknown, but not expected to exceed \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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GENERAL REVENUE FUND

<u>Department of Corrections</u>			
Increased Incarcerations *	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

TOTAL ESTIMATED EFFECT ON GENERAL REVENUE FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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* Unknown costs not expected to exceed \$100,000 annually.

<u>FISCAL IMPACT - Local Government</u>	FY 2000	FY 2001	FY 2002
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\$0 \$0 \$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would make it a class B felony to buy or sell or attempt to buy or sell any person less than 18 years of age.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

State Courts Administrator
Department of Corrections
Office of Prosecution Services
State Public Defender



Jeanne Jarrett, CPA
Director
December 16, 1999